Case 1:21-cv-01641-DJC-DB Document 28 Filed 12/07/23 Page 1 of 2 Curtis E. Jimerson, Esq., Bar No. 232054 1 MORDAUNT, ROUNDY, REIHL & JIMERSON A Professional Law Corporation 7488 Shoreline Drive, Suite B1 Stockton, CA 95219 3 Telephone: (209) 473-8732 Facsimile: (209) 957-9165 4 cjimerson@mrrjlaw.com; service@mrrjlaw.com 5 Attorneys for Defendants STANIŠLAUS COUNTY, DEPUTY JUSTIN WALL, 6 DEPUTY JOSHUA SANDOVAL, AND DEPUTY EARL GAARDE 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 LOUISE GALVAN. Case No. 1:21-CV-01641-DJC-DB 11 Plaintiff(s), STIPULATION TO DISMISS MONELL **CAUSE OF ACTION WITH PREJUDICE;** 12 AND ORDER THEREON VS. 13 STANISLAUS COUNTY, DEPUTY JUSTIN WALL, DEPUTY JOSHUA 14 SANDOVAL, DEPUTY EARL GAARDE, DEPUTY DEREK 15 CROWLEY and DOES 1-25, inclusive, 16 Defendant(s). 17 18 WHEREAS on November 11, 2021, Plaintiff, LOUISE GALVAN ("Plaintiff") filed his 19 Complaint for: (1) 42 U.S.C. § 1983 - Excessive Force, (2) 42 U.S.C. § 1983 - False Arrest, (3) 42 20 U.S.C. § 1983 - Unlawful Search and Seizure, (4) 42 U.S.C. § 1983 - First Amendment Violation, (5) 42 U.S.C. § 1983 - Malicious Prosecution and (6) 42 U.S.C. § 1983 - Monell Claim¹ in this 21 22 action against STANISLAUS COUNTY, DEPUTY JUSTIN WALL, DEPUTY JOSHUA 23 SANDOVAL, DEPUTY EARL GAARDE, DEPUTY DEREK CROWLEY and DOES 1-25, 24 inclusive, ("Defendants"). 25 WHEREAS Plaintiff seeks to dismiss the following cause of action with prejudice: (6) 42 26 U.S.C. § 1983 - Monell Claim against STANISLAUS COUNTY. 27 /// 28 ¹ Erroneously listed in the Complaint as the "FIFTH" CLAIM FOR RELIEF.

STIPULATION TO DISMISS MONELL CAUSE OF ACTION WITH PREJUDICE; AND ORDER THEREON

Mordaunt,

Roundy, Reihl

488 Shoreline Drive, Suite B1 Stockton, CA 95219 (209) 473-8732

Case 1:21-cv-01641-DJC-DB Document 28 Filed 12/07/23 Page 2 of 2

IT IS HEREBY STIPULATED, by and between Plaintiff and Defendants, by and through 1 their respective counsel, that: 2 1. Plaintiff's Sixth cause of action (erroneously listed as the "Fifth" Claim) 42 U.S.C. § 3 4 1983 under *Monell* is hereby dismissed with prejudice. 5 2. By agreeing to this Stipulation, Plaintiff is not waiving any right he has to pursue his remaining causes of action under 42 U.S.C. § 1983 for: Excessive Force, False Arrest, Unlawful 6 7 Search and Seizure, First Amendment Violation and Malicious Prosecution against Defendants. 8 Dated: December 5, 2023 MORDAUNT, ROUNDY, REIHL & JIMERSON 9 10 By: /s/ Curtis E. Jimerson Curtis E. Jimerson, Esq. 11 Attorneys for Defendants STANISLAUS COUNTY, DEPUTY 12 JUSTIN WALL, DEPUTY JOSHUA SANDOVAL, AND DEPUTY EARL 13 **GAARDE** 14 Dated: December 5, 2023 GEONETTA & FRUCHT, LLP 15 16 By: /s/ Kenneth N. Frucht Kenneth N. Frucht, Esq. 17 Attorneys for Plaintiff 18 **ORDER** 19 The Court having reviewed the foregoing Stipulation, and good cause appearing therefor: 20 IT IS HEREBY ORDERED Plaintiff LOUISE GALVAN's Sixth Cause of Action 21 (erroneously listed as the "Fifth" Claim) 42 U.S.C. § 1983 under Monell is hereby dismissed with 22 prejudice. 23 IT IS SO ORDERED. 24 Dated: December 6, 2023 /s/ Daniel J. Calabretta 25 THE HONORABLE DANIEL J. CALABRETTA 26 UNITED STATES DISTRICT JUDGE 27 28

Mordaunt, Roundy, Reihl & Jimerson 7488 Shoreline Drive, Suite B1 Stockton, CA 95219 (209) 473-8732